

**CITY OF MARLBOROUGH  
CONSERVATION COMMISSION  
Minutes**

June 16, 2011  
Marlborough City Hall – 3<sup>rd</sup> Floor, Memorial Hall  
7:00 P.M.

**Members Present:** Edward Clancy-Chairman, John Skarin, Dennis Demers, David Williams, Lawrence Roy and Priscilla Ryder-Conservation Officer

**Absent:** Michele Higgins and Allan White

**Public Hearings**

Notice of Intent

246 Farm Rd. - Stephen Littlefield

Mr. Littlefield was present and explained that he wanted to construct a garage that was 24' x 28' at the end of the driveway. It will have full footings and most of the excavated materials will be used for backfill. The Commission noted that all excess fill should be removed from the site. They also noted that because the work is close to the 20' buffer zone, all excavation should be performed from the front of the garage through the driveway and not from the back side of the proposed garage. Erosion controls will be needed along the back lawn area and shall mark the limit of work. After some discussion, the Commission determined that the project could proceed and the Commission voted unanimously 5-0 to issue a standard Order of Conditions for this project.

Request for Determination of Applicability (Continuation)

33 Hayes Memorial Dr. - Rotadyne, Inc.

Mr. Dick Baldelli was present representing Rotadyne Inc. He had been asked at the previous meeting to do some test holes to see where the water table lies in the area of the trench and drain system. He provided photographs and noted that Ms. Ryder had observed several of the holes. Tom Dipersio also provided a letter dated June 16, 2011 which Mr. Clancy read into the record. This letter can be found in the file folder for this project. He also provided a new plan dated June 16<sup>th</sup> which showed a revised drainage pipe and trench with a clay barrier on the outside edge and at the bottom, so as not to drain the groundwater from the adjacent wetland. The pipe will just be designed to move groundwater away from the foundation. After some discussion, the Commission voted 5-0 unanimously to issue a negative Determination of Applicability with conditions for a pre-construction meeting, that the project is built to the June 16<sup>th</sup> design plans and that an as-built plan be submitted when the project is done.

Notice of Intent (Continuation) (John Skarin abstained from this discussion due to a conflict of interest)

280 Locke Dr. - Cermax Corporation/Massachusetts International Academy

At the previous meeting, the Commission was just waiting for confirmation from the City Engineer that the plans were OK. This was received. Ms. Ryder drafted a set of conditions for review at this meeting. The Commission voted unanimously to close the

hearing, then reviewed the Conditions. Conditions #39, and 40 were amended. The Commission voted 4-0 unanimously to issue the Order of Conditions as written and amended.

Request for Determination of Applicability  
36 Settlers Lane – Ann Taylor

Ms. Taylor was present and said she'd like to build an 8 x 8 deck at the rear of her home. The work is 85 feet from the wetland line. Ms. Ryder indicated she inspected the site and the work will be well away from the wetland and on a lawn area. No erosion controls are necessary. The Commission voted 5-0 to issue a negative Determination with standard conditions for notification.

**Emergency Certificate**

- Ratify permit issued to breach beaver dam and install pipe for: (1) Bigelow St. at North Branch Brook, and (2) Stow Rd. on the Cider Knoll Conservation land pond.
  - (1) Ms. Ryder noted that the beavers have returned on Bigelow St. and the water is rising in the abutters yards. The DPW plans to install a beaver deceiver pipe in the next week or so to help control the flows and prevent the increased flooding. The Commission voted 5-0 to ratify the Emergency Certificates for this work
  - (2) Ms. Ryder explained that the beavers are also active on Stow Rd. at the exit to the pond at Cider Knoll conservation land. The beavers have been active for several years, however this year the water level is significantly higher and an owner at the pond is concerned with the water table rising and affecting his septic system. The Board of Health concurs that the water level should be lowered to save this system. The Commission voted 5-0 to ratify the Emergency Certificate to breach the dam and install a beaver pipe.

**Discussion:**

- DEP 212-806 - Letter from Hayes Engineering, dated July 3, 2011 - requesting Condition #43 be considered complete and that no further pond monitoring and reporting be required for this project. The Commission read this letter and agreed that the monitoring associated with this permit could be finished. The Commission voted 5-0 to send a letter that condition #43 has been satisfied.
- Community Garden – Ms. Ryder reported that work is beginning on the Community Garden on Stow Rd. Clearing and tilling should occur soon.
- Field Mowing – the farmer at Eastleigh farms has contacted Ms. Ryder inquiring if there are any fields that he can mow for hay. She will be showing him the Cider Knoll field and the old landfill and will check with the DPW. The Commission thought this was a good idea.
- Stream Team - Ms. Ryder indicated that the past Tuesday the stream team met and reported on their findings of this years survey. The streams all look healthy and good. The report will be prepared shortly. Only a few streams remain to be surveyed, then all streams will have been observed over the past 4 years.
- DEP 212-1079 - Steven Anthony's Restaurant has discovered that they will need to replace the foundation of the function hall, the existing footings will not be adequate and are rotten. Ms. Ryder asked the Commission if he needed to file for a formal amendment or if this could be considered a minor change to the plan requiring only a letter of notice. Mr. Clancy and several Commission members indicated that they would go out and take a look before making a decision.

**Meetings** – Next Conservation Commission meetings are July 7<sup>th</sup> and July 21<sup>st</sup>, 2011 (Thursdays)

**Adjournment** - There being no further business, the meeting was adjourned at 8:25 PM.

Respectfully submitted,

Priscilla Ryder  
Conservation Officer